



Please type a plus sign (+) inside this box → ☐

PTO/SB/21 (08-00)
Approved for use through 10/31/2002. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<h1>TRANSMITTAL FORM</h1> <p>(to be used for all correspondence after initial filing)</p>	Application	09/806,709
	Filing Date	
	First Named	Sheena M. Loosmore
	Group Art Unit	
	Examiner Name	
Total Number of Pages in This Submission	131	Attorney Docket Number 1038-1138 MIS:jb

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input checked="" type="checkbox"/> CD, Number of CD(s) <u>1</u>	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; padding: 5px;"> 1. Covering Letter 2. Voluntary Amendment 3. Sequence Listing 4. Postcard </div>
Remarks: <div style="border: 1px solid black; height: 40px; width: 100%;"></div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Michael I. Stewart (Reg. No. 24,973)
Signature	
Date	September 26, 2002

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this date: 			
Typed or printed name			
Signature		Date	

Sim & McBurney

Patent and Trade Mark Agents



330 University Avenue
6th floor
Toronto, Canada
M5G 1R7

Telephone (416) 595-1155
Fax (416) 595-1163

MICHAEL I. STEWART
ROGER T. HUGHES, Q.C.
TONI POLSON ASHTON
JOHN H. WOODLEY
KENNETH D. MCKAY
TIMOTHY M. LOWMAN
STEPHEN M. LANE
ARTHUR B. RENAUD
STEPHEN J. PERRY
PATRICIA A. RAE
DAVID A. RUSTON
L.E. TRENT HORNE
LOLA A. BARTOSZEWICZ

THOMAS T. RIEDER
LESLEY M. MORRISON
GEOFFREY B.C. DE KLEINE

SENIOR CONSULTANT
PETER W. MCBURNEY

TECHNICAL ASSISTANTS
KIMBERLY A. MCMANUS, Ph.D.
KAMLEH J. NICOLA, B. Sc. LL.B.
WENDY M. NOSS, B.A., LL.B.
COBY A.B. SCHNEIDER, B.A., LL.B.
MATTHEW D. POWELL, P. ENG.
MICHAEL S. COLUCCI, Ph.D.
ANDREW R.O. JONES, B.A., LL.B.

Please Quote

Our ref. 1038-1138 MIS

Your ref. -

Writer's Ext. 239

E-mail: mistewart@sim-mcburney.com

September 26, 2002

Via Courier

The Commissioner of Patents
and Trademarks
Box Sequence Listing
Washington, DC 20231
U.S.A.


Dear Sir:

RE: US Patent Application No. 09/806,709
Sheena M. Loosmore et al.
PROTECTIVE RECOMBINANT HAEMOPHILUS INFLUENZAE
HIGH MOLECULAR WEIGHT PROTEINS

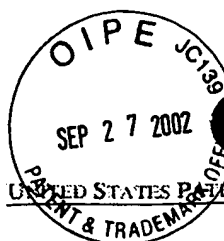
In response to the Notification of Defective Response, submitted
herewith are:

1. Sequence Listing in computer-readable and hard-copy forms. It is hereby stated under the signature of the undersigned that the computer-readable and hard-copy forms of the Sequence Listing are the same and involve no new matter
2. Voluntary amendment directing entry of the Sequence Listing into the specification
3. Copy of Notice

Yours very truly,


Michael I. Stewart
Reg. No. 24,973

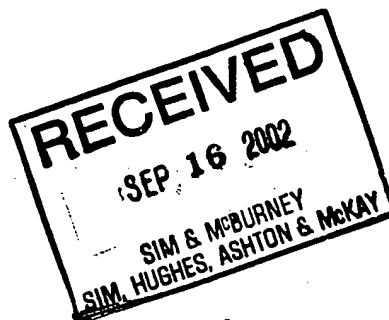
M.I. Stewart/jb
Enclosure(s)



UNITED STATES PATENT AND TRADEMARK OFFICE

 Commissioner for Patents, Box 881
 United States Patent and Trademark Office
 Washington, D.C. 20231
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/806,709	Sheena M Loosmore	1038-1138 MIS:jb

 24223
 SIM & MCBURNEY
 330 UNIVERSITY AVENUE
 6TH FLOOR
 TORONTO, ON M5G 1R7
 CANADA


INTERNATIONAL APPLICATION NO.	
PCT/CA99/00938	
LA. FILING DATE	PRIORITY DATE
10/07/1999	

 CONFIRMATION NO. 5961
 371 FORMALITIES LETTER


OC00000008379337

Date Mailed: 09/03/2002

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494):

- U.S. Basic National Fee
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Preliminary Amendments

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
 - This application does not contain a "Sequence Listing" as a separate part of the disclosure on paper copy or compact disc, as required by 37 CFR 1.821(c).
 - A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
 - APPLICANT MUST PROVIDE:
 - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
 - An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.

- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

- This application does not contain a "Sequence Listing" as a separate part of the disclosure on paper copy or compact disc, as required by 37 CFR 1.821(c).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FRANCINE YOUNG

Telephone: (703) 305-3662

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/806,709	PCT/CA99/00938	1038-1138 MIS:jb